

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

COREY ANDERSON,

Plaintiff,

v.

UNKNOWN OFFICERS and the CITY OF  
CHICAGO,

Defendants.

No. 08-cv-768

Judge Gettleman

Magistrate Judge Denlow

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**MOTION TO PRESERVE EVIDENCE**

NOW COMES the Plaintiff, by and through his attorneys, The Law Offices of Blake Horwitz, and hereby moves that this Honorable Court enter an order preserving the evidence set forth in Plaintiff's Motion. In support of same, Plaintiff states the following:

1. On or about March 7, 2007, the Plaintiff was arrested and criminally charged by police officers for the City of Chicago.
2. These officers procured a rifle from the residence of Plaintiff's aunt and charged Plaintiff with possession of the rifle.
3. At his criminal trial, Case No. 07-CR-0686301, Plaintiff was found not guilty of these charges. The physical condition of the rifle was a determining factor in the outcome of Plaintiff's case.
4. Upon information and belief, the gun is currently in the possession of Cook County at their property control facility located at 26th Street and California Avenue, Chicago, Illinois, 60608.
5. Evidence held by Cook County is routinely destroyed or otherwise removed after the conclusion of a criminal trial. Without an order to preserve the rifle, the evidence will be

destroyed and the Plaintiff's case will be irreparably harmed. Upon information and belief, the defendant officers will fabricate or deny the incident and misrepresent the condition of the rifle as it was found.

6. Plaintiff seeks preservation of the rifle and any and all other evidence in the possession of Cook County with regard to said occurrence. The Plaintiff further seeks an order, which prohibits any alteration, modification and/or change with regard to said evidence. Without such an order, upon information and belief, the evidence will be destroyed and Plaintiff's case irreparably harmed.

7. The City of Chicago was served with the lawsuit February 5, 2008, personally and immediately after filing.

8. On February 6, 2008, counsel for Plaintiff notified Mara Georges, attorney for the City of Chicago, of the instant motion and requested that the City assign an attorney to the case immediately.

9. As of February 19, 2008, no attorney has entered an appearance on behalf of the City of Chicago.

WHEREFORE, based on the foregoing, the Plaintiff respectfully requests that this Court order Cook County to preserve the above-referenced evidence and refrain from altering and/or modifying same.

Respectfully Submitted,

s/Erica Faaborg  
Erica Faaborg  
One of Plaintiff's Attorneys

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